

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

NYDIA M TORRES BONACIA

Case No. 11-07193-MCF

Chapter 13

Attorney Name: NOEMI LANDRAU RIVERA*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input checked="" type="checkbox"/> Substitute J. Landrau	Date & Time: 9/28/2011 9:55:00AM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: \$13,037 <input checked="" type="checkbox"/> This is debtor(s) 2 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><u>Atty Guillermo Alemany and Atty Roberto Figueroa Carrasquillo for creditors Francisca Camacho Velazquez, Carmen I. Camacho Velazquez; Evelyn Camacho Gonzalez and Rubis M. Camacho Velazquez</u></div>
II. Oath Administered <div style="text-align: center;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</div>	
III. Plan Date: 08/29/2011 Base: \$39,000.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 11/4/2011 1:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="text-align: center;">\$3,000.00 - \$0.00 = \$3,000.00</div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
 <input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

<input type="checkbox"/> Feasibility <input type="checkbox"/> Insufficiently funded <input type="checkbox"/> Unfair discrimination <input type="checkbox"/> Fails disposable income <input type="checkbox"/> Fails liquidation value test <input type="checkbox"/> Insuarence quote	<input type="checkbox"/> No provision for secured creditor(s) <input type="checkbox"/> Treat value of collateral separately <input type="checkbox"/> No provision for insurance <input type="checkbox"/> Tax returns missing <div style="margin-left: 20px;"><input type="checkbox"/> State - years</div> <div style="margin-left: 20px;"><input type="checkbox"/> Federal - years</div>
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Pending/Items/ Documents:

<input type="checkbox"/> Assumption/Rejection executory contract <input type="checkbox"/> Appraisal <input type="checkbox"/> DSO Recipient's Information <input type="checkbox"/> Evidence of being current with DSO <input type="checkbox"/> Evidence of income	<input type="checkbox"/> Business Documents <div style="margin-left: 20px;"><input type="checkbox"/> Monthly reports for the months</div> <input type="checkbox"/> Public Liability Insurance <div style="margin-left: 20px;"><input type="checkbox"/> Premises</div> <div style="margin-left: 20px;"><input type="checkbox"/> Vehicle(s):</div> <div style="margin-left: 20px;"><input type="checkbox"/> Licenses issued by:</div>
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COMMENTS

1) Debtor intends to pay the interest of the other co-owners of the property she resides. State court issued judgment dividing community property of her deceased husband's estate. It appears that the amount awarded to each co-owner as per judgment is the amount listed in Schedule F. On the other hand Plan does not contemplate interest on the judgment. Debtor to address the interest issue. Appearing creditors indicated they will file objection to confirmation due to feasibility.

2) Since debtor intends to prefer the co-owners over her unsecured creditor BPPR, plan should state clearly that debtor is paying the co-owners interest, not creditors, since they are not creditors.

3) Amend voluntary petition to include prior case. Although debtor testified that she did not consent to that filing, the fact is that the case existed.

s/Miriam Salwen

Trustee/Presiding Officer

Date: 09/28/2011

(Rev. 02/11)